



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

nothing inharmonious with the law as heretofore settled. At page 162, he declares, in italics, that "the requirement that every corporation file as a condition of corporate existence a certificate of incorporation with the Department of Corporations and Commerce at Washington and exercise its powers under the national common law of corporations whether expressed in a statutory declaration or not, would not necessitate the reversal of a single decision of any court, State or national, and would not change in the slightest degree the nature of really corporate existence in the United States, or necessitate a change of the laws of the States, compliance with which by a corporation is now a condition of doing business within the State." It is apparent, however, from what follows in the text, that he finds this declaration on an assumption which he describes as "the fallacy of State creation of corporations"—a very prevalent "fallacy" indeed. The fact may also be pointed out that there is no "Department of Corporations and Commerce" in Washington. There is a Department of Commerce and Labor, in which there is a bureau of corporations.

It is just to say that the author has made a very industrious examination of cases. He was, as his title-page informs us, first Ricardo prize fellow in Harvard University, and is the author of a volume on "Railway Control by Commissions." It is evident that he has made an earnest use of his time, and for this he is to be commended. What he should now cultivate above all else is lucidity. A writer on the law should first be sure that he has an intelligible and definite idea to communicate, and he should then strive to express it with the utmost clearness and simplicity. The passages heretofore quoted show much room for effort in that direction. They are not exceptional. On page 380, for instance, we are told that if Congress has made no "exceptions to and regulations of the appellate jurisdiction of the Supreme Court" of the United States, "then without statutes conferring jurisdiction, all cases in law and equity arising under the constitution and laws of the United States would be within the appellate jurisdiction conferred upon the Supreme Court by Congress." We may pertinently inquire how, if Congress has conferred an appellate jurisdiction, it can be said that we are "without statutes conferring" such jurisdiction? It is superfluous to remark that Congress can confer jurisdiction on the courts only by statute, and that if jurisdiction has been conferred by act of Congress a statute exists.

REVIEWS TO FOLLOW:

STUDIES IN THE CIVIL LAW. By W. W. Howe. Second Edition. Boston: Little, Brown & Co. 1905. pp. xiii, 391.

THE PRINCIPLES OF THE LAW OF CONTRACTS. By J. D. Lawson. Second Edition. St. Louis: The F. H. Thomas Law Book Co. 1905. pp. xxvi, 688.

WILLS ON CIRCUMSTANTIAL EVIDENCE WITH AMERICAN NOTES. By G. E. Beers and A. T. Corbin. Boston: The Boston Book Co. 1905. pp. xiii, 448.

A TREATISE ON EQUITABLE REMEDIES. By J. N. Pomeroy, Jr. Two

Volumes. San Francisco: Bancroft-Whitney Co. 1905. pp. Vol. I, xxx, 1-952; Vol. II, xix, 973-1875.

A TREATISE ON THE LAW OF MUNICIPAL CORPORATIONS. By Howard S. Abbott. 1905. pp. Vol. I, xix, 1-965; Vol. II, xvi, 967-1979.

CONSTITUTIONAL LAW IN ENGLAND. By E. W. Ridges. London: Stevens & Sons. 1905. pp. xxxii, 459.

THE ELECTORAL SYSTEM OF THE UNITED STATES. By J. Hampden Doughtery. New York and London: G. P. Putnam's Sons. 1906. pp. iv, 425.

PROCEEDINGS OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION. 1906. pp. 232.

THE LAW OF TRADE-MARKS AND UNFAIR TRADE. By Norman F. Hesselstine. Boston: Little, Brown & Co. 1906. pp. xxxix, 376.

FOIBLES OF THE BENCH. By Henry D. Wilcox. Chicago: Legal Literature Co. 1906. pp. 144.

THE FIRST YEAR OF ROMAN LAW. By Fernand Bernard. Translated by Charles P. Sherman. New York: Oxford University Press, American Branch. 1906. pp. xiii, 326.

CASES OF THE LAW OF EVIDENCE. By John H. Wigmore. Boston: Little, Brown & Co. 1906.

DUE PROCESS OF LAW UNDER THE FEDERAL CONSTITUTION. By Lucius Polk McGehee. Northport: Edward Thompson Co. 1906. pp. x, 451.

MODERN BUSINESS CORPORATIONS. By William A. Wood. Indianapolis: Bobbs-Merrill Co. 1906. pp. xi, 358.

FOUNDATIONS OF LEGAL LIABILITY. Three Volumes. By Thomas A. Street. Northport: Edward Thompson Co. 1906.

ACT OF STATE IN ENGLISH LAW. By W. Harrison Moore. London: John Murray. 1906. pp. xi, 178.

PRINCIPLES OF THE ENGLISH LAW OF CONTRACT. By Sir Wm. R. Anson. Eleventh English Edition. Second American Edition. By Ernest W. Huffcut. New York: Oxford University Press, American Branch. 1906. pp. li, 462.

THE LAW OF INNKEEPERS AND HOTELS INCLUDING OTHER PUBLIC HOUSES, THEATRES, SLEEPING CARS. By John Henry Beale, Jr. Boston: Wm. J. Nagel. 1906. pp. xviii, 621.

THE PRACTICE OF DIPLOMACY AS ILLUSTRATED IN THE FOREIGN RELATIONS OF THE UNITED STATES. By John W. Foster. Boston and New York: Houghton, Mifflin & Co. 1906. pp. 401.

THE LAW OF RAILROAD RATE REGULATION WITH SPECIAL REFERENCE TO AMERICAN LEGISLATION. By J. H. Beale, Jr., and Bruce Wyman. Boston: Wm. J. Nagel. 1906. pp. lii, 1285.

AMERICAN CONSULAR JURISDICTION IN THE ORIENT. By Frank E. Hinckley. Washington: W. H. Lowdermilk & Co. 1906. pp. xx, 283.

SUPPLEMENT TO SNYDER'S INTERSTATE COMMERCE ACT AND FEDERAL ANTI-TRUST LAWS. By Wm. L. Snyder. New York: Baker, Voorhis & Co. 1906. pp. xl, 178.

THE AUSTINIAN THEORY OF LAW. By W. Jethro Brown. London: John Murray. 1906. pp. xv, 383.